May be

App F IX 4

Previous References 1935-6 (NL) ✓

File No 164-35

Serial Nos 1863

Letter References

HC(38-3)(16+24)

NE Dept 259/52

NE 100-52-21, 2 2

GENERAL AND REVENUE SECRETARIAT

Serial Nos Fric

Part B for April 453

SUBJECT

Re Prohibition of the Construction of buildings - the Khumbargunda area, Shwaja Pampatty

5(C 5) To Khumpatty Dng

WD 0418—GPB 4/28 50M—29-8 3 7(77 9 1/6 A Hfqrs 453)

Notices re prohibition of the creation of any buildings etc - the Khumbargunda area Shwaja

W.A.K. 16/

2985

General and Revenue Secretariat | File No 164 of 1935-36 [App P III—3

Serial No	From
1	The Deputy Comr, Shimoga Dist no M3C 1078-34/31-36 dt 24/12/35 Requests the issue of a notification prohibiting the Construction of houses in Kumbarageri area in the occupation of the Shimoga Municipality, under Sec 110 (1) of the Municipalities Act
	Submd with a draft letter to the D-C calling for further information (Please see flag A in the file submitted to the Deputy Secy.
	2- MV 31/12 Gen 4/1/36
2	Do The D.C. Shimoga Dist no L 4774 dt 6/1/36 Calls for further information from The same Officer. no M3C 1018/35 dt 29-7-35 for a copy of the resolution of the Municipality in the enclosed 3 The D.C. Shimoga requests orders on two points — P.T.O

NOTE.—Contd Sheet.

MD 6404—GPB—50,000—12-7-35

Kumbarapundi, — Thungabhadra Dam

Revd File No 164 of 1937 — General and Revenue Secretariat

namely (1) issuing a notification under sec 110 (1) of the Land Utilisation Act, 1933 prohibiting the construction of houses in the Kumbarapundi area, which is in the occupation of the Revd Dept the dimensions of these blocks are not mentioned only the boundaries are furnished This for orders of, without this information, the area may be notified as being prohibited from being built upon

2) Notifying that, in respect of 13 sites not yet built upon, licences would not be issued without the permission of Govt under sec 110 (2) of the L.U. Act

The case of site no 26 on which it is proposed to build a theatre by one Mr. S.P. Ramaswamy is an instance in point. In regard to this point, it is submitted that it would be open to the Govt to express their opinion in this behalf to give an order the proper course is perhaps to approve these sites

PWD 9

PWD 1

No order appears necessary in the matter at this stage

ds

Kumbarragundu — Shimoga Tm

4005

General and Revenue Secretariat — File No 64 of 193 5-36 [App F III—2

Serial No

at the cost of the Mty Dept not known what further action has been taken by the Mpl bd in this behalf the opinion of the Law section may perhaps be taken on this proposal

Subt for orders

for mr 3/8/36

4 The particulars called for in this office letter dt 6.1.36 were endeavd in respect of the Municipal land referred to in para 3 of the D/Com's letter dt 24.12.35 But the Staff now need from the D/Com relate to land in private occupation about which no proposition can be made unless the lands are first acquired Govt will also provide to some one in the case of the latter that licenses to be issued should not be given without the permission of Govt

5 All that can be done now is to forward the construction of buildings on the Municipal land, after obtaining particulars in respect of them in the form referred to in the letter dt 6.1.36 referred to above The particulars may be called for

II Member) Asst 6/3

6895 6/3

6 Submitted 9/3/36

7 Please put up Draft to Govt Asst 10/3

NOTE—Contn Sheet

WD 03 91—GPB—30 000—18-7 35

4004 335 ✓ 3935 ✓ 40 ✓ 5-236-236

File No 164 of 193 5-36 General and Revenue Secretariat

Subd wts a draft letter for appl

for issue 10/8/36

Issued 12/8

Mr D. C Shimoga Dstt 4
no L7 11 14 Dy 6/8/36
calls for further information

from
the Deputy Comr, Shimoga Dstt
no H3 34-C 131/35-36 Dy 20-8-36
Requests that a notification
prohibiting the construction of
buildings on the municipal land
on the Kumbarguda area, Shimoga
town may be issued by Govt

10 Subd wts a draft notification
for approval - wts respe to paras 5 & 6 supra

for 8/3/37

11 The Concurrence of the Law Deptt

For approval cutn
8/3/37

(for Secy)

12 Notification cumulative
8/3/37

Asstt Secy, Law
(in C) 13

216
Law
8/3/37

Govt
8/3

Serial No

14 Draft notification seems to be in order

BKR 12 3 37

Asst Secy L Sg We

12/3/37

Dy Secy) 15 Hayden Asst Secretary

15/3/37

29/3/37

31/3/37

5) The compiler Mysore Gazette No L 7199 dated 1/6th April 1937 notifies the Prohibition of the erecting of any building within the Kumbarjunoor area in Shimoga town

The D C Shimoga Dt Memo No L 7200 / dated 1/6th April 37 Copy of sl (5) for information

B1

WL 13/4/37

WD 0417—CPB—80 000—5 9 3

File No of 193

General and Revenue Secretariat

Serial No

Rl 164-35-1 2989

IMMEDIATE

WD 01080—GPB—20 000—28-3-35

193

From
S Narayana Rao Esq M A (Hons)
Deputy Commissioner
Shimoga District

To
H Venkatanaranappa Esq B A
Secretary to Government
Development Department
Bangalore

Dated
Despatched
Received 24th December 1935

General No
No L3 C 1018-34/35-36

Enclosure No Statement of sites & a plan

SIR

Subject - Kumbaragundi area-Prohibition of buildings

In forwarding herewith letter No E 49/D 15-7-1935 together with its enclosures in original received from the President Shimoga Town Muncipal Council on the above subject I have the honour to state that during his inspection of the Town in February and March 1934 the Dewan was pleased to issue instructions that the area known as Kumbaragundi should be kept open and that houses and other structures should not b be allowed to spring up in the locality on the ground that it is an unsanitary and lowlying ground It is reported that the Tour Notes of the Dewan were placed before the Council and recorded It was also resolved by them that no licenses should be given for the construction of new structures in the area

2 From the Muncipal President's letter it will be seen that some portion of the Kumbaragundi area belongs to the Muncipality and that the remaining portion of it consisting of 39 sites which belong to private persons of which 23 have been built upon and 16 are vacant

3 As regards the portion in the possession of the Muncipality the President proposes that a Notification may be issued under Section 110 of the Town Muncipalities Regulation prohibiting the construction of buildings and other structures thereon and the same published in the Gazette As regards the sites in private occupation the President observes that the owners of the 16 vacant sites may also apply for permission to construct houses that in fact one such application has since been received from Mr G P Rangappa owner of site No 26 requesting permission to build a Theatre permanently thereon, that as the whole place becomes submerged if the Thunga River rises to 22 or 23 feet and in view of the Dewan's instructions it is desirable to prohibit buildings even at this stage that this can be done only by formally accuiring the sites under private occupation as without it the owners of sites might insist upon a license to construct houses thereon and it may not be legal for the Muncipality to refuse licerse and that as the accuisition is likely to cost more than Rs 5000/- or Rs 6000/- or even more the matter will be placed before the Council and further action taken in the matter The President has been asked to expedite it

4 In the circumstances reported by the President a Notification prohibiting the construction of houses in Kumbaragundi area in the occupation of the Municipality as shown in the enclosed sketch may kindly be issued under Section 110 (1) of the Municipal Regulation

5 Further I am of opinion that pending the decision of the Municipal Council in regard to accuisition of sites under private occupation it is very necessary to notify that even in these cases licenses to build thereon should not be issued without the permission of Government under Para 2 of Section 110 referred to above The Boundaries of the land vesting in the Municipality and which is proposed to be prohibited for building purposes is noted below -

I Block	North	Kumbarageri-Doddapetta Road
	South	Conservancy Road
	East	Conservancy Road
	West	Kumbaragundi-Big Brahmin street road except site nos 26 27 28, 30 32, 33 35, 38 and 39
II Block	North	Backyardsof houses facing Thimmappankoppal Road and the Rice Mill of Lakshminaranappa
	South	Conservancy road
	East	Kumbaragundi-Big Brahmin street road
	West	Backyards of houses facing Krishnarajapur street
III Block		Vacant site Nos (1) 22 23 24 15 16 17 under occupation 18,19 20 & 21 (2) 26 27 and 28 (3) 30 32 33 35 38 and 39

I have the honour to be
Sir
Your most obedient servant,

DEPUTY COMMISSIONER
SHIMOGA DISTRICT

Mc 164 35-2

To L 4994 Ere Plan

D 6-1-36

The Deputy Comr

Shimoga Dist

Sir,

With reference to your letter no

173 C 1078-34/35-36

dated the 24th Dec 1935

requesting the issue of a notn under Sec 110 (1) of the Mysore Town & Villages Regn 1933 prohibiting the Construction of buildings in the Kumbaragundi area in Shimoga Town Limits, I am directed to request you to forward a copy of the Notification

passed by the Municipal
Council on the subject

In regard to the area
proposed to be prohibited
from being built upon
I am to request that
particulars may be kindly
furnished in the following form:—

General No 1	Number 2	and or the No (Open space No as pl. plan) 3	Description 4	Dimensions Length, Breadth area in sq ft or sq yds 5

The Boundaries
East, West North & South Remarks
6 7

T, II VIII

The blocks may above
kindly be marked out
on the sketch which is
herewith returned

I have etc
MW
M/11 Secy to Govt
for D D

'Extra

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bengalore Dated 6th January 1936

No L 4994 Exn Plan
ml 164-35-2

From

The *Secretary to the Government of His Highness the Maharaja of Mysore*
Development Department

To

The Deputy Commissioner
Shimoga District Shimoga

Sir

With reference to your letter No M_3 C 1018-34/35-36 dated the 24th December 1935 requesting the issue of a notification under -- Section 110 (1) of the Mysore Town Municipalities Regulation 1933 prohibiting the construction of buildings on the Kumbargundi area in Shimoga Town Municipality I am directed to request you to forward a copy of the resolution passed by the Municipal Council on the -- subject

In regard to the area proposed to be prohibited from being built upon I am to request that particulars may be kindly furnished in the following form -

Sl No	Division	Municipal or other No (open space No as per plan)	Description	Dimension & area Length Breadth Area in Sq ft or yards	Boundaries East West North and South
1	2	3	4	5	6
			Remarks 7		

The blocks I II and III may also be kindly got marked out on the sketch which is herewith returned

I have the honor to be
Sir
Your most obedient servant,

For Secretary to Government
Development Department

D O No M3C10 B1&F-[illegible]

T V A Isvahalli P O

Ml64-35—3

OFFICE OF THE DEPUTY COMMISSIONER
SHIMOGA DISTRICT

Dated Shimoga 193 6

GET 4004/L
2 MAR 1936

[illegible]

[illegible] ara[illegible]na Rao Esq[illegible] A[illegible]ons
Deputy C[illegible]issioner
Sh[illegible]moga Distr[illegible]

Ven[illegible]atararaonna Es[illegible] B A
Secre[illegible]ar[illegible] to Gov[illegible]ern[illegible]ent
Develo[illegible]ent Depar[illegible]ent
[illegible]

Sir

[illegible]it reference to correspondence ending [illegible]ith [illegible]our letter [illegible]/4/1 1 1-35-[illegible] dated [illegible]th Ja[illegible]uar[illegible] 1936 as [illegible]or a copy of t[illegible]e [illegible]unicipal Councils' resolutio[illegible] for prohibiti[illegible] the construc - ic[illegible] of buildin[illegible]s on t[illegible]e [illegible]u[illegible]ar u[illegible] di[illegible] area I have the honour to f[illegible]rwar[illegible] here[illegible]ith a copy of t[illegible]e [illegible]unicipal Counc[illegible]ls resolution passe[illegible] at their meetin[illegible] held on [illegible]th [illegible]ay 1934 together [illegible]ith a st[illegible]tement s[illegible]o[illegible]in[illegible] the par[illegible]ticul[illegible]rs of the sites and the plan received [illegible]ith the letter under reply

[illegible]n re[illegible]ard to site [illegible]o[illegible]-[illegible]plac[illegible] [illegible] 31 belong[illegible] to [illegible]r [illegible] Ram[illegible]nna it is stated that the site measuring 160' x [illegible]0' was given to him in the [illegible]ear 1[illegible]0[illegible] On [illegible]-[illegible]-1[illegible]1 the Bu[illegible]l[illegible]ing [illegible]ommittee had issued a li[illegible]ence for the construc[illegible]ion of a theatre buil[illegible]in[illegible] on t[illegible]e site in [illegible]uest[illegible]on and they have now passed a reso-lution for renewir[illegible] [illegible]e [illegible]am[illegible] t[illegible]eir meetin[illegible] held on 31-[illegible]-1936

[illegible]he power of t[illegible]e [illegible]unicipal Counc[illegible]l for passing Cr[illegible]rs [illegible]an[illegible]lic[illegible]ti[illegible]ns [illegible]r[illegible]di[illegible]cons[illegible]ructir[illegible] new buildings and for issu[illegible]in[illegible] licen[illegible]s therefor[illegible]s[illegible] is l[illegible]ar[illegible]t[illegible] re[illegible] their exercised by t[illegible]e [illegible]uildin[illegible] Co[illegible]mittee[illegible]r[illegible] t[illegible]e Shi[illegible]oga T[illegible]n[illegible]unic[illegible]palit[illegible] since 1916 [illegible]nder Section [illegible]11 of t[illegible]e T[illegible]P the [illegible]hief Officer has to [illegible]ru[illegible]t the [illegible]ne[illegible]es and I [illegible]ave [illegible]een examining as to [illegible]o[illegible] t[illegible]e build-in[illegible] Committee has certain[illegible] to e[illegible]ercise th[illegible] po[illegible]er[illegible] ver after the n[illegible]w Regulation ca[illegible]e into [illegible]orce[illegible] A separate report [illegible]ill be sub-[illegible]itted i[illegible] [illegible]t[illegible]t[illegible]eh[illegible]l[illegible] [illegible]an[illegible]s[illegible]r[illegible] [illegible]d[illegible]e [illegible]e Pro[illegible]i[illegible]ion[illegible] [illegible]

issue of the licence will be withheld

reference will however be made to him under Sec
(1)(f) of to take into consideration the objection that exists
to the grant of the license sanctioned by the building Committee
and send a reply He will also be requested to send extracts
of the proceedings of the building Committee with regard to the
grant of the said license

Tumberamundi is in the flood zone and there is said t
have 10 feet of water during the floods of 1924 It is said
to be flooded when the river rises more than 93 feet which is
not unusual

A copy of the Municipal President's memo dated 10-9-36
regard to the renewal of the licence referred to above is also
enclosed herewith The favour of early orders is solicited

I have the honour to be
Sir
Your most obedient servant

Deputy Commissioner
Shimoga District

Snd

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 16/3/36

Signed by C. Ltr A S Rao

List of enclosures

Copied by

Examined by

Section ml

File No 164 35

Serial No 4

No L 7114 Ene Sketch

To- The Deputy Commr

Hanumakonda Distt

Sir,

With reference to the correc endorsement your letter no Mgc 1018/35 dated 9 2 36 re prohibition of the Construction of buildings in the Kumbarallam area Hanumakonda Township I am directed to state that the statement un received relates to land in private occupation about which no prohibition

WD 01966—GPB—22,500—12-6-34

Can be ordered unless the
lands are first acquired
and it is not also possible
to issue an order in the case of
the latter that licences should
not be given without the
permission of Govt

All that can be done now is
to prohibit the construction of
buildings on the municipal land
in the said area, in respect of which
particulars may be kindly furnished
in the form referred to in this office
letter No L4994/VI/64/38-2
dated 6/1/38 Action will be taken
in this behalf on receipt of information
from you

The sketch is herewith returned
for reference & retransmission

Yours truly
for Secy to Govt

No. MI 34 C 141/35-36
Enc - One file

Office of the Deputy Commissioner
Shimoga District,
Dated Shimoga, 20th February 1937

3935
L

From

S Narayana Rao, Esq, M A, (Hons)
Deputy Commissioner,
Shimoga District

To

M Venkatanaranappa, Esq, B A,
Secretary to Government,
Development Department,
BANGALORE

Sir,

Subject - Prohibition of construction of houses in Kumbaragundi area in Shimoga Town

Referring to the correspondence ending with your letter No L 7114/MI 164-35-4 dated the 16th March 1936 stating that in respect of lands in private occupation no prohibition can be ordered usefully unless the lands are first acquired and that it is also not possible to issue an order in the case of the latter that licenses to build should not be given without the permission of the Government etc, I have the honour to state that the Municipality is not in a position to undertake the acquisition of the private sites just now on account of the cost involved and as funds are required for more important works such as the construction of sub-soil drains in Durgigudi, the drainage of Somiah's tank, the adoption of preventive measures against malaria It is however desirable that pending the acquisition of the properties by the Municipality in due course, some restrictions should be placed against houses springing up in the locality such as requiring special depths for foundations, heights for basements, plinths for walls, the use of materials of particular kind etc so as to secure stability tothe buildings constructed since the area is low-lying and is subject to inundation by floods in the rainy season Now that the Building Committee appointed by the Municipal Council for granting licenses in the town has become non-existent as

as intimated in your letter No L 3972/ M1 62-35 dated 28th November 1935, necessary instructions will be issued to the President of the Municipal Council to see that licenses are given only on the necessary conditions with regard to foundations etc as stated above and hewill also be asked to take action to have the conditions inserted in the House Building byelaws of the Municipality

2 In the circumstances, I request that a notification prohibiting the construction of buildings on the municipal land in the Kumbaragundi area may be kindly issued by the Government A plan of such land together with a statement showing the dimensions and boundaries of the sites comprised therein is forwarded herewith as desired in your letter under reply

I have the honour to be,
Sir,
Your most obedient servant,

S Narayana Rao

Deputy Commissioner,
Shimoga District

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 6 4 37

Signed by Mer Bankrushnappa

Curator of the Iron [illegible]

× Please [illegible]

List of enclosures

Copied by

Examined by

Section mf

File No 164-35

Serial No 5

(Copy)

No 4 7199

To Notification

In exercise of the powers vested in them under Sec 110 (1) of the Mysore Town Municipality Regulation 1933, the Government of H.H. the Maharaja are pleased to prohibit the erection of any building within the areas in the Shimoga Town Limits specified in the statement as appended [illegible] except with the permission granted by the Govt in this

WD 03601—GPB—30 000—23 9 35

Statement showing the ~~wasted~~ sites ~~[illegible]~~, prohibited ~~or constructing the buildings~~ in the original area of the Plan as ~~per report of the Article, dated the 29th May 1944~~ from being Constructed upon

Division	Municipal or other	Description of property	Diverse area	Area	Boundaries				Remarks
					East	West	North	South	
1	2	3	4	5	6	7	8	9	10
1	I		Vacant land	[illegible] = 5-32	[illegible]	[illegible]	[illegible]	[illegible]	
2	"	-	-do-	[illegible] = 7	[illegible]	[illegible]	[illegible]	[illegible]	
3	"	-	-do-	[illegible] = A 1 - B	[illegible]	[illegible]	[illegible]	-do-	
4		-	-do-	[illegible] = A	[illegible]	[illegible]	[illegible]	-do-	
5		-	-do-	[illegible] = [illegible]	[illegible]	[illegible]	[illegible]	-do-	
6	"	-	-do-	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
7	"	-	-do-	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

[illegible]
for Secretary to Government
Development Department